

### REMARKS

By this Amendment, the Specification, the Abstract, and Claim 1 have been amended, and New Claims 25-28 have been added, to place this application in immediate condition for allowance. Additionally, by separate Letter to the Draftsman, it has been proposed to amend Figures 3B and 6 in a manner suggested by the Primary Examiner.

In the outstanding Office Action, the Examiner has objected to Figures 3B and 6 of the drawings. The Examiner has indicated the use of a bracket in Figure 3B will cure the informality as well as in Figure 6. Accordingly, by separate Letter to the Draftsman, it has been proposed to amend Figures 3B and 6 to add the requested bracket.

In the Specification, the Examiner has indicated that it is replete with grammatical errors too numerous to mention. The Examiner has requested that Applicant thoroughly revise and amend the Specification. Accordingly, the Specification has been thoroughly revised and amended to place it in better form for United States practice. The replacement pages in the Specification accompany this Amendment and Applicant has taken care to avoid the introduction of new matter.

In the outstanding Office Action, the Examiner has rejected Claims 1-6, 15-18, 23 and 24 under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent No. 6,968,591 to Tanaka. The Examiner has gone into great detail as to the alleged reasons for

this ground of rejection on pages 4-6 of the outstanding Office Action. Those pages speak for themselves and Applicant will not reproduce the Examiner's reasoning here. Applicant does, however, respectfully disagree with the position taken by the Examiner in rejecting the claims.

Anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. *In re Paulsen*, 30 F.3d 1475, 1478-9, 31 USPQ 2d 1671, 1673 (Fed. Cir. 1994), *In re Spada*, 911 F.2d 705, 708, 15 USPQ 2d 1655, 1657 (Fed. Cir. 1990).

For anticipation, there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. *Scripps Clinic & Res. Found. v. Genetech, Inc.*, 927 F.2d 1565, 1576, 18 USPQ 2d 1001, 1010 (Fed. Cir. 1991). As a corollary, absence from the applied reference of any claimed element negates anticipation. *Kloster Speedsteel AB v. Crucible, Inc.*, 793 F.2d 1565, 1571, 230 USPQ 81, 84 (Fed. Cir. 1986). Almost is not enough. A prior art disclosure that almost meets the standard of anticipation may render the claim invalid under 35 U.S.C. § 103(a), but it does not anticipate. *Connell v. Sears, Robuck & Co.*, 722 F.2d 1542, 1548, 220 USPQ 193, 198 (Fed. Cir. 1983).

In rejecting Claim 1, the Examiner has alleged that the fiber bundle 6 comprises movable portions which have different lengths, respectively, between fixed ends and distal ends of the

fiber "due to inherent uneven, inexact, or infinitesimal discontinuities of the heat-sealing process used to bond the fiber bundle to the base material sheet." It is noteworthy that Tanaka fails to teach or suggest the use of differing lengths of the movable portions of the third fiber bundle layer 6. That layer of Tanaka is joined only at the all-layer join line 7 to the slit sheet 5. The all-layer join line 7 is located at the midpoint between the two join lines 8, 8 and extends in parallel to the join lines 8, 8.

The movable portions of the third fiber bundle 6 between the all-layer join line 7 and the distal end are respectively the same length as one another as clearly shown in Figure 2 of Tanaka. Additionally, Tanaka shows that the holding sheet 1, the base sheet 2, and the first fiber bundle layer 3 shown at the lowest portion of Figure 2 are joined by two parallel lines 8, 8 and a plurality of side join lines 9, 9 which extend obliquely outside of the join lines 8, 8 as described at column 5, lines 30-39.

In Tanaka, the fibers joined as one unit by the two oblique side joining lines 9, 9 (Figure 1) have regularly differing lengths gradually changing in the direction of the distal ends of the fiber and in the width direction or sidelong direction along one of the oblique straight join lines 9, 9. The side portions are positioned outwardly from the parallel join lines 8, 8, even though the joined holding sheet 1, base sheet 2, and the first

fiber bundle layer 3 are cut by the cut lines 11 (Figure 1).

The portions of the fibers of the first fiber bundle layer 3 abutting the obliquely extending join line 9 outside of each of the parallel join lines 8 (Figure 1) have regularly and gradually differing lengths with respect to each other in the direction of the distal ends and along the width or sidelong direction thereof. Only the uppermost layer of the cleaning article of Tanaka which is formed by the holding sheet 1, the base sheet 2, and the first fiber layer 3 has this obliquely joined regular pattern or portion.

Reference is now made to Exhibit 1 attached to this response to which the following comments pertain. Exhibit 1 consists of the lowermost portion of Figure 2 of Tanaka and an extremely enlarged view of a portion of that aspect of Figure 2 of Tanaka with areas of interest to this discussion colored green and yellow.

Tanaka has movable portions of his fiber bundle defined by the parallel cut lines 11, 11, one of the obliquely extending join lines 9 and 9, and the one of the join lines 8, 8 shown in the view of the lowermost part of Figure 2 enlarged in Exhibit 1 hereto. In the Tanaka device, the holding sheet 1 is stacked on a side of the base sheet 2 as described at column 5, lines 17-18. The first fiber bundle layer 3 is stacked on the other side of the base sheet 2 as set forth in Tanaka in column 5, lines 30-32. The holding sheet 1, the base sheet 2, and the first fiber bundle

layer 3 are joined together at two parallel join lines 8, 8 and, if desired, at a plurality of side join lines 9, 9, extending obliquely outside of the join lines 8, 8. Tanaka, column 5, lines 32-36.

Further, the first fiber bundle layer 3, the base sheet 2, and the holding sheet 1 are joined at the all-layer join line 7 and the two parallel join lines 8, 8. This all-layer join line 7 is located at the midpoint between the two join lines 8, 8 and extends parallel to the join lines 8, 8. Tanaka, column 5, line 67 - column 6, line 4.

After the holding sheet 1, the base sheet 2, and the first fiber bundle layer 3 are stacked and joined together in the manner shown, zig zag cut-lines 11 are formed which thereby form a plurality of thin strips 12 separated by the cut-lines 11 in the holding sheet 1 and the base sheet 2. These thin strips 12 are formed in the side regions 2b, 2b, each of which is located between one join line 8 and the adjacent one of the side edges of the laminate. Tanaka, column 5, lines 42-49, and with reference to Figure 1 for the thin strips. Tanaka also contemplates forming the zig zag cut-lines 11 after the holding sheet 1 and the base sheet 2 are stacked, but before the first fiber bundle layer 3 is stacked and the join lines 8, 8 are formed. Tanaka, column 6, lines 12-15.

Based upon the above explanation, Tanaka does not teach or suggest the claimed movable portions of the fibers as to their

differing lengths, an important feature of the claimed subject matter. Based upon the green and yellow portions shown in Exhibit 1, the movable portions may increase and decrease their lengths regularly, gradually and obliquely along the oblique join line 9, not in a discontinuous manner nor in spot-like form.

Based upon the above explanation, a movable portion of the first fiber bundle 3 may be provided at an outer triangular portion defined in the direction of the distal end of the first fiber bundle 3 by one join line extending obliquely outwardly from one of the join lines 8, 8 and one zig zag saw-tooth-like cut-line 11 extending perpendicularly from the join line 8. The triangular movable portions shown in green and yellow in Exhibit 1 of the first fiber bundle 3 have fixed ends along the oblique side join line 9, that is, the fusion bonded line between the two cut-lines 11, 11. The length of the triangular movable portion, for example, that which is shown in the color green in Exhibit 1, increases obliquely and gradually along the oblique side join line 9 in the width direction of the cleaning article at a fixed rate, and the length of the adjacent triangular movable portion, for example, that which is displayed in the color yellow in Exhibit 1, decreases obliquely and gradually in the width direction at a fixed rate in the same manner. However, the movable length in the direction of depth of the first fiber bundle 3 is fixed, not variable.

In contrast to the above description of the Tanaka device, one of the important features of the present invention is the movable portions which have respectively differing lengths between their respective fixed ends and their respective distal ends of their fibers in the directions of depth and width as specifically recited in amended Claim 1. In this regard, Claim 1 as amended now recites:

"... the fiber bundle comprises movable portions which have respectively different lengths between (1) respective fixed ends of the bundling portion and portions of the fibers bonded by the adhesive, and (2) distal ends of the fibers in the direction of the length of the fiber bundle and in the direction of thickness thereof."

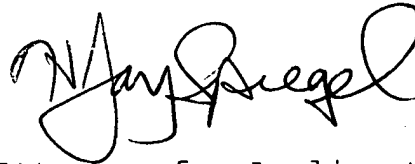
Tanaka fails to teach or suggest the structure of the claimed invention quoted above. Moreover, permeation of the adhesive is also not disclosed or taught nor suggested by Tanaka.

For the above reasons, it is respectfully submitted that independent Claim 1 is clearly free of anticipation from the teachings of Tanaka. *In re Paulsen; In re Spada; Scripps Clinic & Res. Found.; Kloster Speedsteel AB.*

Since Claims 2-6, 15-18 and 23-28 all depend from Claim 1, for the same reasons, they are also allowable. Accordingly, reconsideration and allowance of this application are respectfully solicited.

Respectfully submitted,

H. JAY SPIEGEL & ASSOCIATES

A handwritten signature in black ink, appearing to read "H. Jay Spiegel". The signature is fluid and cursive, with the first name "H." and last name "Spiegel" clearly distinguishable.

Attorney for Applicant  
H. Jay Spiegel  
Reg. No. 30,722

H. JAY SPIEGEL & ASSOCIATES  
P.O. BOX 11  
Mount Vernon, Virginia 22121  
(703) 619-0101 - Phone  
(703) 619-0110 - Facsimile  
jayspiegel@aol.com - e-mail



EXHIBIT 1

